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Attorneys for Defendant Google LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

CHASOM BROWN, *et al.*,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**DECLARATION OF JONATHAN TSE IN
SUPPORT OF JOINT SUBMISSION RE:
SEALING PORTIONS OF THE
FEBRUARY 28, 2022 HEARING
TRANSCRIPT IN RESPONSE TO DKT.
440**

Referral: Hon. Susan van Keulen, USMJ

1 I, Jonathan Tse, declare as follows:

2 1. I am a member of the bar of the State of California and an attorney with Quinn
3 Emanuel Urquhart & Sullivan, LLP, attorneys for Defendant Google LLC (“Google”) in this action.
4 I make this declaration of my own personal, firsthand knowledge, and if called and sworn as a
5 witness, I could and would testify competently thereto.

6 2. Pursuant to Civil Local Rule 79-5, I submit this declaration in support of the Parties’
7 Joint Submission Re: Sealing Portions of the February 28, 2022 Hearing Transcript in Response to
8 Dkt. 440. In making this request, Google has carefully considered the relevant legal standard and
9 policy considerations outlined in Civil Local Rule 79-5. Google makes this request with the good
10 faith belief that the information sought to be sealed consists of Google’s confidential information
11 and that public disclosure could cause competitive harm.

12 3. Google respectfully requests that the Court seal the redacted portions of the February
13 28, 2022 Hearing Transcript (“Transcript”).

14 4. The information requested to be sealed contains non-public, sensitive confidential
15 business information related to Google’s internal technological systems that could affect Google’s
16 competitive standing and may expose Google to increased security risks if publicly disclosed,
17 including details related to internal systems and operations that Google does not share publicly,
18 including details related to internal projects, identifiers, data fields, dashboards, and logs and their
19 proprietary functionalities, and internal investigations of features, which Google maintains as
20 confidential in the ordinary course of its business and is not generally known to the public or
21 Google’s competitors.

22 5. Such confidential information reveals Google’s internal systems and operations and
23 falls within the protected scope of the Protective Order entered in this action. *See* Dkt. 81 at 2-3.

24 6. Public disclosure of such confidential information could affect Google’s competitive
25 standing as competitors may alter their system designs and practices relating to competing products,
26 time strategic litigation, or otherwise unfairly compete with Google.

27 7. On March 10, 2022, the parties conferred on the proposed redactions to the
28 Transcript. Plaintiffs take no position on sealing the proposed redactions.

1 8. For these reasons, Google respectfully requests that the Court order the identified
2 portions of the Transcript to be sealed.

3 I declare under penalty of perjury of the laws of the United States that the foregoing is true
4 and correct. Executed in San Francisco, California on March 10, 2022.

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6 DATED: March 10, 2022

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

7
8 By /s/ Jonathan Tse
Jonathan Tse

9 *Attorney for Defendant*
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